

Amendment No. 1 to SB0334

**Cooper J
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 334*

House Bill No. 1576

By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Section 12, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 55-12-139.

(a) Every vehicle driven on the highways of this state must be in compliance with the financial responsibility law.

(b) At the time the driver of a motor vehicle is charged with any moving violation under title 55, chapters 8 and 10, parts 1-5, chapter 50 and any other local ordinance regulating traffic, the officer shall request evidence of financial responsibility as required by this section. For the purposes of this section, "financial responsibility" means:

(1) Documentation, such as the declaration page of an insurance policy, an insurance binder, or an insurance card from an insurance company authorized to do business in Tennessee, stating that a policy of insurance meeting the requirements of the Tennessee Financial Responsibility Law of 1977 has been issued;

(2) A certificate, valid for one (1) year, issued by the commissioner of safety, stating that a cash deposit or bond in the amount required by the Tennessee Financial Responsibility Law of 1977 has been paid or filed with the commissioner, or has qualified as a self-insurer under § 55-12-111; or

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(3) The motor vehicle being operated at the time of the violation was owned by a carrier subject to the jurisdiction of the department of safety or the interstate commerce commission, or was owned by the United States, this state or any political subdivision thereof, and that such motor vehicle was being operated with the owner's consent.

(c) It is an offense to fail to provide evidence of financial responsibility pursuant to this section. Any violation is a Class C misdemeanor punishable only by a fine of not more than one hundred dollars (\$100.00).

(d) The fines imposed by this section shall be in addition to any other fines imposed by title 55 for any other violation under such title.

(e) On or before the court date, the person so charged may submit evidence of compliance with this section at the time of the violation. If the court is satisfied that compliance was in effect at the time of the violation, the charge of failure to provide evidence of financial responsibility may be dismissed.

SECTION 2. Tennessee Code Annotated, Section 55-10-303(a), is amended by deleting the language "and parts 1-5 of this chapter," and by substituting instead the language ", parts 1-5 of this chapter and § 55-12-139,".

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SECTION 3. Tennessee Code Annotated, Section 55-10-304, is amended by deleting the language "and parts 1-5 of this chapter" and by substituting instead the language ", parts 1-5 of this chapter and § 55-12-139".

SECTION 4. Tennessee Code Annotated, Section 55-10-305, is amended by deleting the language, "and parts 1-5 of this chapter" wherever it appears and by substituting instead the language ", parts 1-5 of this chapter and § 55-12-139".

SECTION 5. Tennessee Code Annotated, Section 55-10-306(b)(1), is amended by deleting the language "and parts 1-5 of this chapter" and by substituting instead the language ", parts 1-5 of this chapter and § 55-12-139".

SECTION 6. Tennessee Code Annotated, Section 55-10-307(a), is amended by deleting the language ", and 55-50-312, and may by ordinance" and by substituting instead the language ", 55-10-312, and 55-12-139, and may by ordinance".

SECTION 7. Tennessee Code Annotated, Section 55-10-310, is amended by deleting the language "and parts 1-5 of this chapter" and by substituting instead the language ", parts 1-5 of this chapter and § 55-12-139".

SECTION 8. Tennessee Code Annotated, Section 55-12-115, is amended by deleting the section in its entirety and by substituting instead the following:

Section 55-12-115.

(a) Upon receipt by the commissioner of a record of conviction of failing to show evidence of financial responsibility pursuant to § 55-12-139, the commissioner shall suspend the driver license of such person convicted of such offense.

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(b) Such person may obtain reinstatement of their driver license
by meeting the following requirements:

(1) Submitting evidence of financial responsibility as
required by this section; and,

(2) Paying the fee provided for in § 55-12-129.

After which time, the person will be entitled to the return of such operating
privileges upon successfully passing a driver license examination.

SECTION 9. This act shall take effect January 1, 2002, the public welfare
requiring it.